

030727.0037.0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re the Application of: |) Oroup Art Unit: 1623 |
|--|---|
| Paul D. Van Poelje, et al. |)) Examiner: To be assigned |
| Application No.: 09/900,364 |) |
| Filed: July 5, 2001 | RECEIVE |
| Title: COMBINATION OF FBPASE INHIBITORS AND ANTIDIABETIC AGENTS USEFUL FOR THE TREATMENT OF DIABETES | JAN 24 2003 JAN 24 2003 TECH CENTER 1800/2000 |

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents Washington, D.C. 20231

Sir:

In compliance with the Applicants' duty under 37 CFR 1.56, the following information is brought to the attention of the Examiner. The items are listed on the attached Form PTO/SB/08A and copies are enclosed for the convenience of the Examiner.

The items identified in this Supplemental Information Disclosure Statement may or may not be "material" pursuant to 37 CFR 1.56 and the submission thereof by Applicants

> CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with anything referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

> Jill C. Youkel Name of Person Mailing Paper

January 14, 2003

Person Mailing Paper Signature of

Patent 030727.0037.CIP1

shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR 1.97(h)), or even qualifies as "prior art" under 35 U.S.C. § 102 with respect to this invention unless specifically designated by Applicants as such.

The filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 CFR 1.56, exists.

This Supplemental Information Disclosure Statement is believed to be timely in that it is being submitted under 37 CFR 1.97(b)(3) before the mailing of a first Office Action on the merits. Therefore, no petition or fee is required. If, however, counsel for Applicants is in error in this regard, the Commissioner is authorized to charge the fee set forth in 37 CFR 1.17(p) to counsel's Deposit Account No. 50-1273.

Respectfully submitted,

By:

Diana L. Bush, Ph.D. Reg. No. 51,109

BROBECK, PHLEGER & HARRISON LLP

12390 El Camino Real

San Diego, CA 92130-2081

Telephone: (858) 720-2500

Facsimile: (858) 720-2555

| | / ` | ١ |
|--------------------|---------------------------------------|---|
| | 1 335 | 1 |
| | \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ | 1 |
| Places type a pluc | cian (+) incide this hav | 4 |

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

😪 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Sheet

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

of

Complete if Known **Application Number** 09/900.364 Filing Date July 5, 2001 First Named Inventor Paul D. Van Poelje Group Art Unit 1623

To be assigned **Examiner Name** 030727.0037.CIP1 Attorney Docket Number

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|--------------|--|--|---|--|--|--|
| Examiner Initials* | Cite No.1 | U.S. Patent Document Number Kind Code² (if known) | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | |
| | | | | | | | |
| _ | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | Į. | | | | | |

| | FOREIGN PATENT DOCUMENTS | | | | | | | | |
|----------------------|--------------------------|---------------------|---|-----------------------------------|--|--|--|----|--|
| Examiner Initials | Cite No. 1 | Office ³ | Foreign Patent Doc Number ⁴ | ument Kind Code' (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T' | |
| | AA | WO | 99/47549 | A1 | Ontogen Corporation | 09/23/1999 | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |

| | NON PATENT LITERATURE DOCUMENTS | | | | | |
|----------------------|---------------------------------|---|----------------|--|--|--|
| Examiner Initials | Cite No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² | | | |
| | | | ĺ | | | |
| | | | | | | |

| | | |
|-----------|------------|------|
| Examiner | Date | |
| Signature | Considered | |

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation is not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ¹ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.